

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

<p>RABBI DAVID SLOMOVITZ, NATHAN FRANKEL, EDWARD HANDLER, SAMUEL LANDY, MIRIAM LEVITZ, HARRY LIEBER, DAVID REICH, ABRAHAM TAUBER, and MORRIS WALDMAN,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>THE ENCLAVE AT FAIRWAYS, HOMEOWNERS ASSOCIATION, INC., a New Jersey Domestic Corporation,</p> <p style="text-align: center;">Defendant.</p>	<p>Civil No.</p> <p style="text-align: center;">DECLARATION OF ABRAHAM TAUBER</p>
---	--

DECLARATION OF ABRAHAM TAUBER


Abraham Tauber declares as follows, pursuant to 28 U.S.C. § 1746:

1. I am a resident of The Enclave at the Fairways ("The Enclave") and a member of The Enclave at the Fairways Homeowners Association, Inc. ("HOA").
2. I am a practicing Orthodox Jew.
3. I purchased my home at 611 Quail Court, Lakewood, New Jersey, 08701 in September 2017.
4. I attend the Elmwood Village Shul, which is a five-minute walk from the Damiano Way entrance to The Enclave.

5. Since I have lived here, the HOA has locked the Damiano pedestrian gate during the Sabbath and Holy Days. I would bend under the barrier to attend the Elmwood Village Shul. Since the barrier was extended several weeks ago, for the last several Sabbaths, I have been unable to slip under the barrier.
6. I was unable to climb over the side of the fence because the HOA installed a high wall to the right of the gate preventing such action.
7. Last month, HOA opened the Damiano pedestrian gate on the Sabbath from 4:00 PM to 8:00 PM on Friday night and from 6:00 AM to 10:00 AM Sabbath Morning. This forced me to change the hours that I attend synagogue so that I could leave The Enclave when the pedestrian gate is unlocked.
8. It is now exceedingly difficult for my children and grandchildren to visit me on the Sabbath or other Holy Days. They are unable to leave The Enclave when the gate is locked at 10:00 AM.
9. Attempts by my daughter and my two grandchildren to exit The Enclave after that hour have been dangerous. For example, one day they waited for a car to enter the Enclave so that the automobile gate would open and they could exit. They were then forced to rush out when a car entered with a group of other Orthodox Jewish parents and children waiting at the automobile gate for the same reason. This was chaotic and unsafe for everyone involved. Later that day, they attempted to enter The Enclave and they were unable to do so because the pedestrian gate was locked.

10. I also was required to obtain a permit in order to build and keep a Sukkah at my residence during the Jewish Sukkot holiday in September 2018. I was required to place this permit--which was a brightly colored, eight-by-eleven sheet of paper--in my front window. This was demeaning and offensive, especially when other residents are not required to obtain permits in order to decorate for the Christmas and Easter holidays.
11. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 5, 2018



Abraham Tauber